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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

ACE MARINE RIGGING & SUPPLY,
INC.,

Plaintiff,

v.

VIRGINIA HARBOR SERVICES,
INC., ET AL.,

Defendants.

No. SACV11-00436-GW (FFMx)

**NOTICE OF MOTION AND
MOTION FOR PRELIMINARY
APPROVAL OF PROPOSED
SETTLEMENTS WITH: (1)
VIRGINIA HARBOR SERVICES,
INC., FEN TEK MARINE
SYSTEMS GMBH, ROBERT B.
TAYLOR AND DONALD
MURRAY; (2) MARINE FENDERS
INTERNATIONAL AND GERALD
THERMOS; (3) WATERMAN
SUPPLY CO., INC. AND
SEYMOUR WATERMAN; AND (4)
MARITIME INTERNATIONAL,
INC. AND JOHN DEATS**

Date: August 25, 2011

Time: 8:30 A.M.

**Judge: The Honorable George Wu
Cttrm: 10**

1 TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR
2 ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that on Thursday, August 25, 2011 at 8:30 a.m.,
4 or as soon thereafter as counsel may be heard, before the Honorable George H.
5 Wu, at the United States District Court for the Central District of California, 312
6 North Spring Street, Courtroom 10, Los Angeles, California, Plaintiff Ace Marine
7 Rigging & Supply, Inc. will move the Court, pursuant to Rule 23(e) of the Federal
8 Rules of Civil Procedure, for entry of an Order in the form attached as Exhibit E to
9 the memorandum in support of this Motion granting preliminary approval of the
10 proposed settlements in this litigation with: (1) Virginia Harbor Services, Inc.,
11 Fentek Marine Systems GmbH, Robert B. Taylor and Donald Murray; (2) Marine
12 Fenders International and Gerald Thermos; (3) Waterman Supply Co., Inc. and
13 Seymour Waterman; and (4) Maritime International, Inc. and John Deats
14 (collectively, "Settling Defendants"), appointing the law firm of Labaton
15 Sucharow LLP, 140 Broadway, New York, NY 10005 as Settlement Class
16 Counsel for the proposed Settlement Classes; approving form of notice; appointing
17 Ace Marine Rigging & Supply, Inc. as representative of the Settlement Classes;
18 provisionally approving the Settlement Classes; and authorizing Settlement Class
19 Counsel to disseminate notice of the proposed settlements.

20 In support of this Motion, Plaintiff relies upon the accompanying
21 memorandum of law and exhibits thereto. The Settling Defendants consent to this
22 Motion and to the entry of the proposed Order.

23 WHEREFORE, Plaintiff respectfully requests the Court to grant this Motion
24 and enter the attached form of Order.

1 Dated: July 26, 2011

/s/ Michael Goldberg

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22 *Interim Class Counsel,*
23 *Chair of the Executive Committee and*
24 *Counsel for Ace Marine Rigging &*
25 *Supply, Inc.*

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Supply, Inc., Executive Committee
Member

**PROOF OF SERVICE VIA ELECTRONIC POSTING PURSUANT TO
CENTRAL DISTRICT OF CALIFORNIA LOCAL RULES
AND ECF GENERAL ORDER NO. 10-07**

I, the undersigned, say:

I am a citizen of the United States and am employed in the office of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action. My business address is 1801 Avenue of the Stars, Suite 311, Los Angeles, California 90067.

On July 26, 2011, I caused to be served the following document:

**NOTICE OF MOTION AND MOTION FOR PRELIMINARY
APPROVAL OF PROPOSED SETTLEMENTS WITH: (1) VIRGINIA
HARBOR SERVICES, INC., FENITEK MARINE SYSTEMS GMBH,
ROBERT B. TAYLOR AND DONALD MURRAY; (2) MARINE
FENDERS INTERNATIONAL AND GERALD THERMOS; (3)
WATERMAN SUPPLY CO., INC. AND SEYMOUR WATERMAN;
AND (4) MARITIME INTERNATIONAL, INC. AND JOHN DEATS**

By posting these document to the ECF Website of the United States District Court for the Central District of California, for receipt electronically by the following parties:

See Attached Service List.

And by US mail to all known non-ECF registered parties.

See Attached Service List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 26, 2011, at Los Angeles, California.

s/ Michael Goldberg
Michael Goldberg

Mailing Information for a Case 8:11-cv-00436-GW -FFM

Electronic Mail Notice List

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

Ace Marine Rigging and Supply Inc. v. Virginia Harbor Services Inc., et al.
Case No. 8:11-cv-00436-GW -FFM

SERVICE LIST

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